

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 6282/1999

SHYAM LAL GHOSI Vs. STATE OF RAJASTHAN & ORS.

Date: 21.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. D.K. Bhardwaj for the petitioner.
Mr. B.S. Chhaba, Addl. GA for the State.
Mr. Subhash Jain for the respondents.

This writ petition is directed against the reversion order dated 01.11.99 (Annexure-9). The petitioner is working as class IV employee in Municipal Board, Kekri and was promoted to the post of Sub Nakerdar purely on temporary basis vide order dated 08.08.95 (Annexure-7), but vide order dated 01.11.99, the promotion of the petitioner on the post of Sub Nakerdar on temporary basis has been withdrawn on the ground that the promotion was made contrary to the provisions of law.

The case of the petitioner is that this withdrawal order has been passed without giving opportunity of being heard to the petitioner, therefore, being aggrieved of this order the petitioner has preferred this writ petition.

It is not disputed that the petitioner is working as class IV substantially in the Municipal Board, Kekri and it is also not disputed that the petitioner was promoted to the post of Sub Nakerdar vide order dated 08.08.95 purely on temporary basis and the same has been withdrawn vide impugned order dated 01.11.99 as the promotion order was passed contrary to the provisions of law.

Since the petitioner was given promotion purely on temporary basis, in such circumstances, the respondents are not required to issue any notice for recalling the order vide impugned order dated 01.11.99. Further the petitioner was appointed on ad hoc basis on the post of Sub Nakerdar during the period of cattle fair and the post of Sub Nakerdar is also not in existence.

Having considered all aspects, I find no illegality in the impugned order dated 01.11.99 and no interference whatsoever is required by this Court.

Consequently, the writ petition fails being devoid of merit and the same is hereby dismissed.

(K.S. RATHORE), J.

/KKC/